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8 *Attorney for Defendant*
9 *Byron Porter*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,

2:19-cr-00269-JCM-EJY

13 Plaintiff,

**Stipulation to Continue Pretrial
Release Revocation Initial
Appearance Date
(Third Request)**

14 vs.

15 BYRON PORTER,

16 Defendants.

17 It is hereby stipulated and agreed, by and between NICHOLAS A.
18 TRUTANICH, United States Attorney, through DANIEL E. CLARKSON,
19 Assistant United States Attorney, and WILLIAM BROWN, counsel for
20 defendant Byron Joshua Jarell Porter, that Byron Porter's pretrial release
21 revocation appearance date in the above-captioned matter, previously
22 scheduled for October 19, 2020, at 2:30 p.m., be vacated and continued at
23 least sixty (60) days until a time convenient to the Court.
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1 This Stipulation is entered into for the following reasons:

2 1. Defendant Byron Porter initially appeared on October 17, 2019,
3 before U.S. Magistrate Judge Elayna J. Youchah and was ordered released on
4 a personal recognizance bond with conditions.
5

6 2. Mr. Porter is currently scheduled to make an appearance before
7 the Court on October 19, 2020 at 2:30 p.m. on a petition for revocation of
8 pretrial release based on alleged violations of conditions of pretrial release.
9

10 3. Since the filing of the petition, Mr. Porter has successfully
11 completed residential drug treatment pursuant to a modification of his
12 conditions of pretrial release.
13

14 4. Defense counsel has a revocation hearing in a different case
15 (*United States v. Avalos* (2:20-mj-000801-DJA)) set for October 19, 2020, at
16 1:30, which will likely go past the time Mr. Porter's hearing is currently set to
17 begin.
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20 5. Mr. Porter is released on a personal recognizance bond with
21 conditions pending trial and does not object to a continuance.
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23 6. The government does not object to a continuance.
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1 7. This is the third for a continuance of this appearance date filed in
2 this matter.

3 Date: October 14, 2020

4
5 Counsel for BYRON PORTER

NICHOLAS A. TRUTANICH
United States Attorney

6
7 /s/ William Brown
8 WILLIAM H. BROWN
9 BROWN MISHLER, PLLC

/s/ Daniel E. Clarkson
DANIEL E. CLARKSON
Assistant United States Attorney

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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,

2:19-cr-00269-JCM-EJY

13 Plaintiff,

FINDINGS OF FACT

14 vs.

15 BYRON PORTER,

16 Defendants.

17 Based on the pending Stipulation of counsel, and good cause appearing
18 therefore, the Court finds that:

19
20 1. Defendant Byron Porter initially appeared on October 17, 2019,
21 before U.S. Magistrate Judge Elayna J. Youchah and was ordered released on
22 a personal recognizance bond with conditions.

23
24 2. Mr. Porter is currently scheduled to make an appearance before
25 the Court on October 19, 2020 at 2:30 p.m. on a petition for revocation of
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7 1:30, which will likely go past the time Mr. Porter's hearing is currently set to
8 begin.
9

10 5. Mr. Porter is released on a personal recognizance bond with
11 conditions pending trial and does not object to a continuance.
12

13 6. The government does not object to a continuance.
14

15 7. This is the third for a continuance of this appearance date filed in
16 this matter.

17 For all of the above-stated reasons, the ends of justice would be served
18 best by a continuance of the initial appearance date.
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ORDER

IT IS ORDERED that the appearance date in *United States v. Lesean Roger Dennis Braddock, Jr., and Byron Joshua Jarell Porter*, Case No. 2:19-cr-00269-JCM-EJY, previously scheduled for October 19, 2020, at 2:30 p.m., is vacated and continued until December 21, 2020 at 2:30 p.m., in Courtroom 3A, before U.S. Magistrate Judge Daniel Albregts.

Dated this 14th day of October, 2020

By: Rayna L. Zouchak
United States Magistrate Judge